Attorney Docket No. 04148-00079 Serial No. 10/600,130 Applicants: John F. Kay and John J. Eisch Group: 1615 Filing Date: June 19, 2003

# Patent and Trademark Office INFORMATION **COSURE CITATION**

USPTO Form 144 9

Sheet I of 6

U.S. Department of Commerce

U.S. PATENT I	OCCUMENT	١
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	l		Name	Class	Subclass	Filing Date (if appropriate)
ΑA	2,520,611	08/29/50	Roberts et al.	568	613	12/05/46
AB	2,520,612	08/29/50	Roberts et al.	568	613	01/08/47
AC	2,674,619	04/06/54	Lundsted	560	198	10/19/53
AD	3,393,179	07/16/68	Leverett	525	398	02/17/66
AÈ	3,393,242	07/16/68	Seale et al.	568	607	09/10/64
AF	3,393,243	07/16/68	Cuscurida	568	620	09/24/64
AG	3,653,183	04/04/72	Sanders et al.	95	163	02/12/70
ΑН	3,833,725	09/03/74	Thompson	514	180	12/08/72
AI	4,011,313	03/08/77	Thompson	514	153	10/17/75
AJ	4,301,083	11/17/81	Yoshimura et al.	554	64	01/02/80
AK	4,330,677	05/18/82	Linke et al.	562	583	10/31/79
AL	4,394,370	07/19/83	Jefferies et al.	606	76	09/21/81
AM	4,472,840	09/25/84	Jefferies et al.	128	898	09/30/82
	AB AC AD AE AF AG AH AI AJ AK AL	AB 2,520,612  AC 2,674,619  AD 3,393,179  AE 3,393,242  AF 3,393,243  AG 3,653,183  AH 3,833,725  AI 4,011,313  AJ 4,301,083  AK 4,330,677  AL 4,394,370	AB 2,520,612 08/29/50  AC 2,674,619 04/06/54  AD 3,393,179 07/16/68  AE 3,393,242 07/16/68  AF 3,393,243 07/16/68  AG 3,653,183 04/04/72  AH 3,833,725 09/03/74  AI 4,011,313 03/08/77  AJ 4,301,083 11/17/81  AK 4,330,677 05/18/82  AL 4,394,370 07/19/83  AM 4,472,840 09/25/84	AB 2,520,612 08/29/50 Roberts et al.  AC 2,674,619 04/06/54 Lundsted  AD 3,393,179 07/16/68 Leverett  AE 3,393,242 07/16/68 Seale et al.  AF 3,393,243 07/16/68 Cuscurida  AG 3,653,183 04/04/72 Sanders et al.  AH 3,833,725 09/03/74 Thompson  AI 4,011,313 03/08/77 Thompson  AJ 4,301,083 11/17/81 Yoshimura et al.  AK 4,330,677 05/18/82 Linke et al.  AL 4,394,370 07/19/83 Jefferies et al.	AB 2,520,612 08/29/50 Roberts et al. 568  AC 2,674,619 04/06/54 Lundsted 560  AD 3,393,179 07/16/68 Leverett 525  AE 3,393,242 07/16/68 Seale et al. 568  AF 3,393,243 07/16/68 Cuscurida 568  AG 3,653,183 04/04/72 Sanders et al. 95  AH 3,833,725 09/03/74 Thompson 514  AI 4,011,313 03/08/77 Thompson 514  AJ 4,301,083 11/17/81 Yoshimura et al. 554  AK 4,330,677 05/18/82 Linke et al. 562  AL 4,394,370 07/19/83 Jefferies et al. 606  AM 4,472,840 09/25/84 Jefferies et al. 128	AB 2,520,612 08/29/50 Roberts et al. 568 613  AC 2,674,619 04/06/54 Lundsted 560 198  AD 3,393,179 07/16/68 Leverett 525 398  AE 3,393,242 07/16/68 Seale et al. 568 607  AF 3,393,243 07/16/68 Cuscurida 568 620  AG 3,653,183 04/04/72 Sanders et al. 95 163  AH 3,833,725 09/03/74 Thompson 514 180  AI 4,011,313 03/08/77 Thompson 514 153  AJ 4,301,083 11/17/81 Yoshimura et al. 554 64  AK 4,330,677 05/18/82 Linke et al. 562 583  AL 4,394,370 07/19/83 Jefferies et al. 606 76  AM 4,472,840 09/25/84 Jefferies et al. 128 898

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Examiner		Document No. Date	Date	Country	Class	Subclass	Translation	
Initial	Initial					YES	NO	
	AN_	EP 0884052	12/16/98	<del>Euro</del> pe				
	AO	EP 0268920	06/01/88	Europe				
	AP -	EP 0551626	07/21/93	Europe)				
	- <del>∧Q</del> -	WO 97/18829	05/29/97	PCT				
550	AR	WO 98/35631	08/20/98	PCT				

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 AQ	Schmolka, "A Review of Block Polymer Surfactants," J. Am. Oil Chemists Soc., 54:110-116 (1977)
AR	Schmolka, "A Comparison of Block Polymer Surfactant Gels," <i>J. Am. Oil Chemists Soc.</i> , 68:206-209 (1991)

Memorandum of Decision Re: Claim Construction, GenSci OrthoBiologics, Inc. v. Osteotech, Inc., U.S. District Court, Central California, Case no. SACV 9868 AHS (Eex)(CV 99-10111-MRP (Eex.)

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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant. \*\*Copies of references not provided at the time of this submission.

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#### U.S. Department of Commerce Patent and Trademark Office

Attorney Docket No. 04148-00079

Serial No. 10/600,130

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Applicants: John F. Kay and John J. Eisch

INFORMATION DISCLOSURE CITATION
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Filing Date: June 19, 2003

Group: 1615

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Examiner Initial		Patent No.	Date	Name	Class	Subclass	Filing Date (if appropriate)
(52)	ВА	4,587,365	05/06/86	Anchor	568	619	10/29/84
	ВВ	4,595,713	06/17/86	St. John	523	105	01/22/85
	ВС	4,764,567	08/16/88	Ott	525	403	11/20/86
	BD	4,902,834	02/20/90	Otten et al.	568	608	08/30/88
	BE	4,922,029	05/01/90	Birnbach et al.	568	616	08/05/88
	BF	4,975,526	12/04/90	Kuberasampath et al.	530	350	10/17/89
	BG	4,994,626	02/19/91	Greenough et al.	568	618	11/08/89
	вн	5,073,373	12/17/91	O'Leary et al.	424	422	09/21/89
,	BI	5,108,753	04/28/92	Kuberasampath et al.	424	422	09/07/90
	BJ	5,130,413	07/14/92	Asai, deceased et al.	528	408	08/30/90
	вк	5,171,574	12/15/92	Kuberasampath et al.	424	423	02/22/90
1	BL	5,284,655	02/08/94	Bogdansky et al.	424	422	02/04/92
X	BN	5,290,558	03/01/94	O'Leary et al.	424	422	08/27/90
65	ВМ	5,292,516	03/08/94	Viegas et al.	424	423	11/08/91

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Initial							YES	NO
	ВО	WO-99/11298	03/11/99	PCT				
	BP,	WO 99/13099	03/18/99	PCT				
	BQ							
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- Memorandum of Decision: Osteotech's Motion for Summary Judgment of Infringement of U.S. Patent No. 5,290,558, Gen Sci OrthoBiologics, Inc. v. Osteotech, Inc., U.S. District Court, Central California, Case No. SACV 9868 AHS (Eex)/CV 99-10111-MRP (Eex).
- BT Verdict, Gen Sci OrthoBiologics, Inc. v. Osteotech, Inc., U.S. District Court, Central California, Case No. SACV 9868 AHS (Eex)/CV 99-10111-MRP (Eex).

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USPTO Form 144 9 U.S. Department of Commerce Attorney Docket No. 04148-00079 Serial No. 10/600,130 Patent and Trademark Office Applicants: John F. Kay and John J. Eisch INFORMATION DISCLOSURE CITATION Filing Date: June 19, 2003 Group: 1615 Sheet 3 of 6 U.S. PATENT DOCUMENTS Examiner Patent No. Date Class Subclass Filing Date Name Initial (if appropriate) (Z) CA 5,306,304 04/26/94 Gendler 623 23.63 01/13/93 CB 5,306,501 04/26/94 424 423 Viegas et al. 11/08/91 CC 5,330,768 07/19/94 Park et al. 424 501 07/05/91 CD 5,346,703 09/13/94 Viegas et al. 424 486 08/31/92 CE 422 5,356,629 10/18/94 Sander 424 07/12/91 CF Gendler 898 5,464,439 11/07/95 128 11/12/93 CG Atala et al. 424 548 5,516,532 05/14/96 08/05/94 CH 04/02/96 Clokie 433 173 5,503,558 11/12/93 CI 5,520,923 05/28/96 Tjia et al. 424 426 09/19/94 CJ 5,593,683 01/14/97 Viegas et al. 424 427 03/03/94 CK 568 5,648,557 07/15/97 Wei 617 07/15/97 CL 12/30/97 Clokie 424 78.08 06/16/95 5,702,695 514 CM 5,707,962 01/13/98 Chen et al. 12 09/28/94 CN 514 2 5,733,868 03/31/98 Peterson 04/16/96 FOREIGN PATENT DOCUMENTS Examiner Document No. Date Class Subclass Translation Country Initial YES NO CN CO CP OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.) CQ CR CS CT

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#### U.S. Department of Commerce Patent and Trademark Office

Attorney Docket No. 04148-00079

Applicants: John F. Kay and John J. Eisch

Serial No. 10/600,130

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Filing Date: June 19, 2003

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Examiner Initial		Patent No.	Date	Name	Class	Subclass	Filing Date (if appropriate)
( 28)	DA	5,766,704	06/16/98	Allen et al.	428	34.1	03/13/96
	DB	5,837,235	11/17/98	Mueller et al.	424	93.7	05/09/96
	DC	5,854,382	12/29/98	Loomis	528	354	08/18/97
	DD	5,861,174	01/19/99	Stratton et al.	424	484	07/12/96
	DE	5,904,716	05/18/99	Gendler	424	423	04/26/95
	DF	5,910,315	06/08/99	Stevenson et al.	424	422	07/18/97
	DG	5,916,553	06/29/99	Schmidt	424	85.1	06/07/95
	DH	5,939,157	08/17/99	Allen et al.	428	35.7	10/30/95
٠.	DI	5,952,077	09/14/99	Booth et al.	428	97	08/26/97
	DJ	5,955,159	09/21/99	Allen et al.	428	34.1	10/27/95
	DK	5,968,556	10/19/99	Atala et al,	424	548	04/02/96
	DL	5,985,383	11/16/99	Allen et al.	428	34.1	03/14/96
	DM	6,005,020	12/21/99	Loomis	523	105	09/02/98
	DN	6,028,164	02/22/00	Loomis	528	354	02/01/99
	DO	6,030,635	02/29/00	Gertzman et al.	424	423	02/27/98
	DP	6,033,438	03/07/00	Bianchi et al.	623	17.16	06/03/97
ES	DQ	6,133,211	10/17/00	Cobianco et al.	508	579	10/30/97
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#### USPTO Form 144 9 U.S. Department of Commerce Attorney Docket No. 04148-00079 Serial No. 10/600,130 Patent and Trademark Office Applicants: John F. Kay and John J. Eisch INFORMATION DISCLOSURE CITATION Filing Date: June 19, 2003 Group: 1615 Sheet 5 of 5 U.S. PATENT DOCUMENTS Patent No. Class Date Name Subclass Filing Date Examiner Initial (if appropriate) ĒΑ 6,136,029 10/24/00 Johnson et al. 623 16.11 10/01/97 EB 01/30/01 Chen et al. 514 12 01/05/98 6.180.605 EC 6,180,606 01/30/01 Chen et al. 514 12 01/13/98 ED 6,189,537 02/20/01 Wolfinbarger, Jr. 128 898 09/06/96 EE Pathak et al. 525 90 07/26/96 6,201,065 03/13/01 EF 17.11 6,206,923 03/27/01 Boyd et al. 623 01/08/99 16.11 EG 6,214,049 04/10/01 Gayer et al. 623 01/14/99 264 86 EH 2001/0008317 07/19/01 Gaylo et al. 01/22/01 ΕI 08/28/01 Rueger et al. 514 21 02/05/98 6,281,195 EJ 2001/0020188 09/06/01 Sander 623 23.57 02/05/01 EK 10/23/01 Wolfinbarger, Jr. 128 898 04/12/00 6,305,379 EL 424 422 09/02/97 6,309,659 10/30/01 Clokie EM 6,311,690 11/06/01 Jefferies 128 898 06/06/95 424 EN 2001/0038848 11/08/01 Donda et al. 423 02/20/01 401 EO Ron et al. 424 08/04/99 6,316,011 11/13/01 EP 6,316,522 11/13/01 Loomis et al. 523 105 09/14/99 FOREIGN PATENT DOCUMENTS Examiner Document No. Date Country Class Subclass Translation Initial YES NO EQ

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USPTO Form 1449 U.S. Department of Commerce Attorney Docket No. 04148-00079 Serial No. 10/600,130 Patent and Trademark Office Applicants: John F. Kay and John J. Eisch INFORMATION DISCLOSURE CITATION Filing Date: June 19, 2003 Group: 1615 Sheet 6 of 6 **U.S. PATENT DOCUMENTS** Examiner Patent No. Date Name Class Subclass Filing Date Initial (if appropriate) FA 2001/0043940 11/22/01 Boyce et al. 424 423 07/24/01 FΒ 8 2002/0022883 02/21/02 623 06/12/01 Burg FC 2002/0034531 03/21/02 424 422 Clokie 08/27/01 FD 6,403,758 06/11/02 528 354 11/08/99 Loomis FE 6,409,765 06/25/02 Bianchi et al. 623 17.11 12/03/99 FF 6,410,645 06/25/02 Pathak et al. 424 78.2 11/09/00 FG 6,425,920 07/30/02 Hamada 623 17.16 10/12/00 FΗ 21 6,426,332 07/30/02 Rueger et al. 514 06/22/01 FI 2002/0106393 08/08/02 Bianchi et al. 424 423 08/27/01 FJ 2002/0107570 08/08/02 Sybert et al. 623 13.17 12/08/00 FΚ 523 02/29/00 6,437,018 08/20/02 Gertzman et al. 116 FL 17.16 2002/0120335 08/29/02 Angelucci et al. 623 08/29/01 FM 2002/0160032 10/31/02 Long et al. 424 423 02/23/01 FN 623 17.11 04/02/02 2002/0161443 10/31/02 Michelson FOREIGN PATENT DOCUMENTS Translation Examiner Document No. Date Country Class Subclass Initial YES NO FO FP OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.) FQ FR FS FT DATE CONSIDERED 16-05 EXAMINER

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.\*\*Copies of references not provided at the time of this submission.